

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**HOSTINGXTREME VENTURES, LLC
and DOES 1 through 10 inclusive,
Plaintiffs,**

v.

**BESPOKE GROUP, LLC, DIVYESH
PATEL, and HINA PATEL, and DOES
1 through 10 inclusive,
Defendants.**

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Civil Action No. 3:14-CV-1471-M

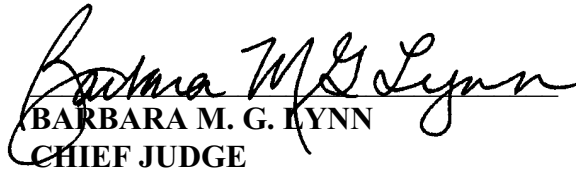
Referred to U.S. Magistrate Judge

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

After reviewing the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and conducting a *de novo* review of those parts of the Findings and Conclusions to which objections have been made, I am of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

Plaintiff's Motion for Partial Summary Judgment, filed April 6, 2017, (doc. 359) is **DENIED**. *Defendants Bespoke Group, LLC's and Divyesh Patel's Joint Motion for Summary Judgment*, filed February 24, 2017, (doc. 332) is **GRANTED** on the plaintiff's claims for breach of contract, attorneys' fees under Tex. Civ. Prac. & Rem. Code § 38.001, breach of the implied covenant of good faith and fair dealing, promissory estoppel, interference with contractual obligations, negligent misrepresentation, and common law fraud based upon the defendants' misrepresentations on shipping delays, and **DENIED** on the plaintiff's claim for common law fraud based upon the defendants' pre-contract representations on dried green pea inventory, and it remains pending for trial.

SIGNED this 11th day of September, 2017.


BARBARA M. G. LYNN
CHIEF JUDGE